

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

**UNITED STATES OF AMERICA,**

Plaintiff,

v.

**MICHAEL T. RAND,**

Defendant.

**CASE NO. 3:10-CR-182**

**DECLARATION OF STEPHEN D. COUNCILL**

1. My name is Stephen D. Councill. I am over eighteen years of age and have personal knowledge of the facts set forth herein.

2. I am a Partner with the law firm of Rogers & Hardin LLP, which represents Defendant Michael T. Rand in the above-captioned matter.

3. In advance of the first trial in this case, Amy Lamberti, counsel for Beazer Homes USA, Inc., told me that Beazer was producing to the Department of Justice all of the documents it was producing to Defendant Rand in the above-captioned criminal proceeding or the parallel SEC proceeding.

4. We had no reason to doubt Beazer's counsel's representation, but we nonetheless decided that we should produce to the Department of Justice the documents we had received from Beazer so that there could be no doubt that the Department of Justice had all of those documents.

4/4/14  
DATE

  
Stephen D. Councill